UNITED
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General Assembly

Distr.
GENERAL

A/RES/49/201
13 March 1995

Forty-ninth session
Agenda item 100 (c)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/610/Add/3)]

49/201. Human rights in Haiti

The General Assembly,

Recalling its resolution 48/151 of 20 December 1993,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/ and aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming that all Member States are required to promote and protect human rights and to comply with the obligations laid down in the various instruments in this field,

Taking note of Commission on Human Rights resolution 1994/80 of 9 March 1994, 3/ in which the Commission decided to extend for one more year the mandate of the Special Rapporteur, with a view to having him submit a provisional report on the situation of human rights in Haiti to the General Assembly at its forty-ninth session and a final report to the Commission at its fifty-first session,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

Recognizing the efforts of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States and the former Special Envoy to re-establish democratic institutions in Haiti,

Welcoming the appointment of the new Special Representative of the Secretary-General for Haiti,

Recognizing the work carried out by the International Civilian Mission to Haiti, when circumstances allowed it, for the defence of human rights in Haiti,

Welcoming the re-establishment of the democratic system and the return of the constitutionally elected President of the Republic of Haiti, Mr. Jean-Bertrand Aristide,

1. Expresses its satisfaction at the return of President Jean-Bertrand Aristide to Haiti on 15 October 1994 and the re-establishment of constitutional order;

2. Urges the Haitian authorities to continue to promote full respect for human rights and fundamental freedoms, in conformity with the relevant international covenants in the field of human rights;

3. Requests the Secretary-General, through the United Nations High Commissioner for Human Rights and the Centre for Human Rights of the Secretariat, to take appropriate steps to ensure financial and human resources for the urgent establishment, in conjunction with the International Civilian Mission to Haiti, of a special programme of assistance to the Government and people of Haiti in their efforts to ensure the observance of human rights;

4. Takes note with appreciation of the report of the Special Rapporteur of the Commission on Human Rights, Mr. Marco Tulio Bruni-Celli, on the situation of human rights in Haiti 4/ and the recommendations contained therein;

5. Commends the cooperation between the Secretary-General of the United Nations and the Secretary-General of the Organization of American States and requests the speedy return to Haiti of all members of the International Civilian Mission to Haiti, with the task of verifying compliance by Haiti with its international human rights obligations, namely, to promote respect for the rights of all Haitians and to contribute to the strengthening of democratic institutions;

6. Decides to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fiftieth session, on the basis of information provided by the Commission on Human Rights and the Economic and Social Council.

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4/ A/49/513, annex.

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A/RES/49/202
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/610/Add.3)]

49/202. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Recalling its relevant resolutions, including the most recent, resolution 48/145 of 20 December 1993, as well as those of the Commission on Human Rights, including the most recent, resolution 1994/73 of 9 March 1994, 3/ and those of the Subcommission on Prevention of Discrimination and Protection of Minorities, including the most recent, resolution 1994/16 of 25 August 1994, 4/

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

4/ See E/CN.4/1995/2-E/CN.4/Sub.2/1994/56, chap. II, sect. A.

Noting that the Government of the Islamic Republic of Iran has responded to the request of the Special Representative of the Commission on Human Rights for information concerning allegations of human rights violations in that country, but that it did not allow him to pay a fourth visit to the country so that he might obtain direct and first-hand information on the current human rights situation there,

Reaffirming that Governments are accountable for assassinations and attacks by their agents against persons on the territory of another State, as well as for the incitement, approval or wilful condoning of such acts,

Noting the observation of the Special Representative that continued international scrutiny of human rights and fundamental freedoms in the Islamic Republic of Iran is warranted and that the subject should remain on the agenda of the General Assembly,

Noting also that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1994/16, condemned the continuing flagrant violations of human rights in the Islamic Republic of Iran,

Noting further the concluding observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran,

1. Takes note with appreciation of the interim report of the Special Representative of the Commission on Human Rights 5/ and the considerations and observations contained therein;

2. Expresses its concern at continuing reports of violations of human rights in the Islamic Republic of Iran;

3. Expresses its concern more specifically at the main criticisms of the Special Representative in his recent reports with regard to the human rights situation in the Islamic Republic of Iran, namely, the continued high number of executions, cases of torture and cruel, inhuman or degrading treatment or punishment, a failure to meet international standards with regard to the administration of justice, the absence of guarantees of due process of law, the discriminatory treatment of minorities by reason of their religious beliefs, notably the Baha'is, whose existence as a viable religious community is threatened, lack of adequate protection for the Christian minorities, some of whom have recently been the target of intimidations and assassinations, restrictions on the freedom of expression, thought, opinion and the press, and, as noted by the Special Representative, continued widespread discrimination against women;

4. Expresses its grave concern at the continued widespread use of the death penalty, especially where its use is in violation of the relevant provisions of the International Covenant on Civil and Political Rights; 2/

5. Also expresses its grave concern that there are continuing threats to the life of Mr. Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran;

5/ A/49/514, annex; see also A/49/514/Add.1 and 2.

6. Urges the Government of the Islamic Republic of Iran to refrain from activities such as those mentioned in the report of the Special Representative against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and punishing offences reported by them;

7. Regrets that the Government of the Islamic Republic of Iran has still not permitted the Special Representative to visit the country and thus has not enabled him fully to discharge his mandate by according him full cooperation;

8. Urges the Government of the Islamic Republic of Iran to implement existing agreements with international humanitarian organizations;

9. Calls upon the Government of the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative in sections IV and V of his report, in particular as regards the administration of justice and due process of law;

10. Urges the Government of the Islamic Republic of Iran to carry out thorough, careful and impartial investigations into the assassination cases of the three Christian ministers mentioned in the report of the Special Representative;

11. Also urges the Government of the Islamic Republic of Iran to comply with international instruments on human rights, in particular the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups and other persons belonging to minorities, enjoy the rights recognized in those instruments;

12. Endorses the view of the Special Representative that the international monitoring of the human rights situation in the Islamic Republic of Iran should be continued;

13. Calls upon the Government of the Islamic Republic of Iran to cooperate fully with the Special Representative;

14. Requests the Secretary-General to give all necessary assistance to the Special Representative;

15. Decides to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, during its fiftieth session under the item entitled "Human rights questions" in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

94th plenary meeting
23 December 1994